

REMARKS

Claims 4-10, 12-15, and 42 are pending after entry of this paper. Claims 4-10, 12-15, and 42 have been rejected.

Claims 4, 14, and 42 have been amended. Support may be found throughout the instant specification. No new matter has been introduced by these amendments.

Reconsideration and withdrawal of the pending rejections in view of the above claim amendments and below remarks are respectfully requested.

Claim Objections

The Examiner has objected to claim 13. Applicants have amended claim 13 in accordance with the Examiner's suggestion. Applicants respectfully request withdrawal of the objection.

Rejections Under 35 U.S.C. §112

The Examiner has rejected claims 4-10, 12-15, and 42 under 35 U.S.C. §112, first paragraph, for allegedly failing to comply with the enablement requirement. Specifically, the Examiner alleges that "the claims appear to be directed to gloves where the 'outer' **surfaces to be coated** are **not necessarily** an elastomeric material comprises [sic] a polymer of natural rubber latex, a synthetic polyisoprene, or mixtures thereof" (paragraph 6 of the Office Action), and contends that there is no basis for such gloves. Applicants respectfully disagree. However, solely for the purpose of furthering

prosecution of the instant application, applicants have amended claims 4 and 42 to specifically recite that the outer surface is “comprised of said elastomeric material.” Applicants believe that the claims as presented above are in full compliance with the requirements of 35 U.S.C. §112, first paragraph, and respectfully request withdrawal of the rejections.

Response to Rejections Over U.S. Patent Application Publication No. US 2004/0126604

The Examiner has rejected claims 4-10 and 12-15 under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent Application Publication No. US 2004/0126604 to Wang et al. (hereafter “Wang”). Applicants respectfully request that the Examiner withdraw the rejections in view of the Declaration of Seong Fong Chen, Chuang Sim Chong, And Wei Cheong Wong Under 37 C.F.R. §1.132 (hereafter “Declaration”) for the reasons set forth below.

35 U.S.C. §102(e) provides that a person is entitled to a patent unless “the invention was described in - (1) an application for patent, published under section 122(b), **by another** filed in the United States before the invention by the applicant for patent” (emphasis added). MPEP §716.10 provides that a rejection under 35 U.S.C. §102(e) may be overcome by the submission of an unequivocal declaration that demonstrates that a reference or part of a reference is attributable to the applicant, *i.e.* that a reference or part of a reference is not “by another.”

Applicants assert that Wang is not available as prior art against the instant application because the relevant subject matter was invented by the applicants and is not “by another.” Applicants submit herewith the Declaration in support.

The Declaration demonstrates that the subject matter set forth in Wang that forms the basis for the rejection of claims 4-10 and 12-15 under 35 U.S.C. §102(e) was invented by the applicants and not "by another," and as such is not available as prior art under 35 U.S.C. §102(e).

For the foregoing reasons, applicants respectfully request withdrawal of the rejections over Wang, and move for immediate allowance of this application.

CONCLUSION

Based on the foregoing amendments and remarks, applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application. In the event that a telephone conference would facilitate examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided. Favorable action by the Examiner is earnestly solicited.

AUTHORIZATION

The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 2877-4031.

Applicants have herewith petitioned for a one-month extension of time. In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 2877-4031.

Respectfully submitted,
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